

1632

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PATENT

AUG 26 2002

Practitioner's Docket No. MPI01-019P1RNM

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:	Curtis, Rory A.J.		
Application No.:	10/074,547	Group No.:	1632
Filed:	February 12, 2002	Examiner:	N/A
For:	25466, A HUMAN TRANSPORTER FAMILY MEMBER AND USES THEREFOR		

TECH CENTER 1600/2900

#6/8ur  
04.14.03Commissioner for Patents  
Washington, D.C. 20231

## TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT

IDENTIFICATION OF TIME OF FILING THE ACCOMPANYING  
INFORMATION DISCLOSURE STATEMENT

The information disclosure statement submitted herewith is being filed:

- ☒ Within three months of the filing date of the application or date of entry into the national stage of an international application or before the mailing date of a first Office action on the merits, whichever event occurs last. 37 C.F.R. section 1.97(b).

OR

- ☐ After three months of the filing date of this national application or the date of entry of the national stage as set forth in Section 1.491 in an international application or after the mailing date of the first Office action on the merits, whichever event occurred last but *before* the mailing date of either:

## CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\*

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

37 C.F.R. SECTION 1.8(a)

37 C.F.R. SECTION 1.10\*

- ☒ with sufficient postage as first class mail. ☐ as "Express Mail Post Office to Address" Mailing Label No. \_\_\_\_\_ (mandatory)

## TRANSMISSION

- ☐ transmitted by facsimile to the Patent and Trademark Office.

Date: August 20, 2002

Signature

Simonne Corriveau

(type or print name of person certifying)

**\*WARNING:** Each paper or fee filed by "Express Mail" *must* have the number of the "Express Mail" mailing label placed thereon prior to mailing. 37 C.F.R. section 1.10(b). "Since the filing of correspondence under section 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will *not* be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at 56,442.

- (1) a final action under Section 1.113,
- (2) a notice of allowance under Section 1.311, or
- (3) an action that otherwise closes prosecution in the application

whichever occurs first.

☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

**OR**

☐ The information disclosure statement transmitted herewith is being filed *after* a final action under Section 1.113, or a notice of allowance under Section 1.311, whichever occurs first, but before, or simultaneously with, the payment of the issue fee.

☐ In accordance with the requirements of 37 C.F.R. Section 1.97(d):

A. ☐ Accompanying this transmittal is the fee set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c). (\$180.00).

B. ☐ Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(1).

C. ☐ No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application and to the knowledge of the person signing the statement after making reasonable inquiry, was known to any individual designated in Section 1.56(c) more than three months prior to the filing of the information disclosure statement. 37 C.F.R. Section 1.97(e)(2).

## FEE PAYMENT

3. ☐ The fee due is set forth in 37 C.F.R. Section 1.17(p) for submission of an information disclosure statement under Section 1.97(c) (\$180.00).

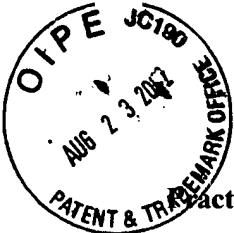
☒ Applicant believes no fee is due in connection with this submission.

		Fee due	\$0.00
<b>METHOD OF PAYMENT OF FEE</b>			
4. <input type="checkbox"/> Attached is a check in the amount of \$ _____.			
<input type="checkbox"/> Charge Account No. 501668 in the amount of		\$0.00	.

☒ A duplicate of this request is attached.

If any additional fees are due, please charge Account 501668.

<u>August 20, 2002</u>	MILLENNIUM PHARMACEUTICALS, INC. By <u>Tracy M. Sioussat</u> Tracy M. Sioussat Registration No. 50,609 75 Sidney Street Cambridge, MA 02139 Telephone - 617-374-7679 Facsimile - 617-551-8820
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PATENT

Practitioner's Docket No. MPI01-019P1RNM

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

TECH CENTER 1600/290

In re application of: Curtis, Rory A.J.  
Application No.: 10/074,547 Group No.: 1632  
Filed: February 12, 2002 Examiner: N/A  
For: 25466, A HUMAN TRANSPORTER FAMILY MEMBER AND USES  
THEREFOR

Commissioner for Patents  
Washington, D.C. 20231

## INFORMATION DISCLOSURE STATEMENT

## List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

1. ☒ Preliminary Statements
2. ☒ Forms PTO/SB/08A and 08B (substitute for Form PTO-1449)
3. ☒ Copies of Listed Information Items Accompanying This Statement

## CERTIFICATION UNDER 37 C.F.R. SECTIONS 1.8(a) and 1.10\*

I hereby certify that, on the date shown below, this correspondence is being:

## MAILING

- ☒ deposited with the United States Postal Service in an envelope addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

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### **Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. section 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

### **Copies of Listed Information Items Accompanying This Statement**

Legible copies of all items listed in Forms PTO/SB/08A and 08B (substitute for Form PTO-1449) accompany this information statement.

August 20, 2002

MILLENNIUM PHARMACEUTICALS, INC.

By Tracy M. Sioussat  
Tracy M. Sioussat  
Registration No. 50,609  
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Cambridge, MA 02139  
Telephone - 617-374-7679  
Facsimile - 617-551-8820



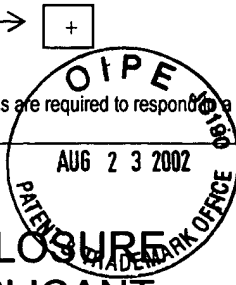
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PTO/SB/08B (10-96)

Approved for use through 10/31/99. OMB 0654-0031

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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Substitute for form 1449B/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Compleat if Known

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Applicati n Numb r	10/074,547
Filing Date	February 12, 2002
First Named Inv ntor	Curtis, Rory A.J.
Group Art Unit	1632
Examiner Name	N/A
Attorney Docket Number	MPI01-019P1RNM

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## OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include the name of the author (in CAPTIAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T <sup>2</sup>
	C1	HAVELAAR, Adrie C. et al. "Purification of the Lysosomal Sialic Acid Transporter", <i>The Journal of Biological Chemistry</i> , Vol. 273, No. 51, December 18, 1988, pp.34568-34574.	
	C2	PRICE, N.T., et al. "MOT5_HUMAN," May 2000 (sequence) Swiss-Prot: [online] Geneva, Switzerland: Swiss Institute of Bioinformatics [retrieved on August 17, 2002]. Retrieved from the Internet: <URL: <a href="http://www.expasy.ch/sprot/">http://www.expasy.ch/sprot/</a> >. Accession No.: O15374.	
	C3	"Mus Musculus 18 days embryo whole body cDNA" February 8, 2002, (sequence) EMBL [online], Hinxton, Cambridge, UK: European Bioinformatics Institute [retrieved on July 10, 2002]. Retrieved from the Internet: <URL: <a href="http://srs6.ebi.ac.uk/srs6bin/cgi-bin/wget/">http://srs6.ebi.ac.uk/srs6bin/cgi-bin/wget/</a> >. EMBL Accession No. AK003423.	
	C4	"Homo Sapiens cDNA FLJ30794 fis, clone FEBRA20001093, weakly similar to monocarboxylate transporter 4" October 31, 2001 (sequence) EMBL [online], Hinxton, Cambridge, UK: European Bioinformatics Institute [retrieved on July 10, 2002]. Retrieved from the Internet: <URL: <a href="http://srs6.ebi.ac.uk/srs6bin/cgi-bin/wget/">http://srs6.ebi.ac.uk/srs6bin/cgi-bin/wget/</a> >. EMBL Accession No. AK055356.	
	C5	HALESTRAP, Andrew P. et al. "The Proton-Linked Monocarboxylate Transporter (MCT) family: Structure, Function and Regulation." <i>Biochemical Journal</i> , Vol. 343, No. 2 (October 15, 1999), pp. 281-299.	
	C6	TAKANAGA, Hitomi et al., "cDNA Cloning and Functional Characterization of rat Intestinal Monocarboxylate Transporter", <i>Biochemical and Biophysical Research Communications</i> , Vol. 217, No. 1 (December 5, 1995), pp. 370-377.	
	C7	JACKSON, Vicky N. et al., "Cloning of the Monocarboxylate Transporter Isoform MCT2 From Rat Testis Provides Evidence that Expression in Tissues is Species-Specific and May Involve Post-Transcriptional Regulation." <i>Biochemical Journal</i> , Vol. 324, No. 2, (1997), pp. 447-453.	
	C8	GARCIA, Christine Kim et al., "cDNA Cloning of the Human Monocarboxylate Transporter 1 and Chromosomal Localization of the SLC16A1 Locus to 1p13.2-2-p12", <i>Genomics</i> , Vol. 23, No. 2, (September 15, 1994), pp. 500-503.	

Examiner Signature		Date Considered	
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\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Unique citation design number. <sup>2</sup>Applicant is to place a check mark here is English language Translation is attached.

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PTO/SB/08B (10-96)

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

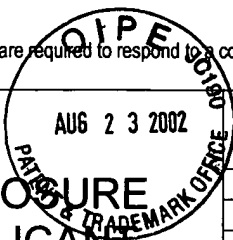
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Substitute for form 1449B/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 2 of 2



Complete if Known

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Application Number	10/074,547
Filing Date	February 12, 2002
First Named Inventor	Curtis, Rory A.J.
Group Art Unit	1632
Examiner Name	N/A
Attorney Docket Number	MPI01-019P1RNM

AUG 26 2002

TECH CENTER 1600/290

## OTHER PRIOR ART -- NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include the name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and-or country where published.	T <sup>2</sup>
	C9	KIM, Do Kyung, et al, "Expression Cloning of a Na <sup>+</sup> -Independent Aromatic Amino Acid H <sup>+</sup> /Monocarboxylate transporters", <i>Journal of Biological Chemistry</i> , Vol. 276, No. 20 (May 18, 2001), pp. 17221-17228.	
	C10	WIPF, D., et al, "Conservation of Amino Acid Transporters in Fungi, Plants and Animals" <i>Trends in Biochemical Sciences</i> , Vol. 27, No. 3 (March 1, 2002), pp. 139-147.	

Examiner Signature		Date Considered	
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